

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

JANE DOES I, II, III, et al.,)	
)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 3:20-1260
)	
EUGENE SCALIA, United States)	(JUDGE MANNION)
Secretary of Labor, et al.,)	
)	
)	
Defendants.)	

**DEFENDANTS' MOTION TO STAY HEARING PENDING
DISPOSITION OF MOTION TO DISMISS**

Defendants Eugene Scalia, the Occupational Safety and Health Administration, and the United States Department of Labor motion the Court to stay the evidentiary hearing scheduled for Friday, July 31, 2020 pending disposition of Defendants' Motion to Dismiss (ECF ## 23, 34). A brief in support of this Motion is being filed simultaneously.

Counsel certifies that he contacted Plaintiffs' Counsel to seek concurrence with this motion, pursuant to M.D. Pa. L.R. 7.1. Plaintiff's counsel had not conferred with co-counsel at the time Defendants' counsel contacted him to discuss concurrence, but stated that he

assumed that Plaintiffs did not concur.

Respectfully submitted,

DAVID J. FREED
UNITED STATES ATTORNEY

Date: July 30, 2020

/s/ G. Michael Thiel
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Middle District of Pennsylvania, and is a person of such age and discretion as to be competent to serve papers.

That on July 30, 2020, she served copies of the attached:

**DEFENDANTS' MOTION TO STAY HEARING PENDING
DISPOSITION OF MOTION TO DISMISS**

by ECF Filing upon:

Lerae Kroon, Esquire
Nina A. Menniti, Esquire
Samuel H. Datlof, Esquire

/s/ Christina M. Nihen
CHRISTINA M. NIHEN
Legal Assistant

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CERTIFICATE OF NON CONCURRENCE

Counsel certifies that he contacted Plaintiffs' Counsel to seek concurrence with this motion and counsel did not concur.

Respectfully submitted,

DAVID J. FREED
UNITED STATES ATTORNEY

Date: July 30, 2020

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